

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 19, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 12, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.
- 3) **CLAIMS:** Approval of all claims processed through Tuesday, April 19, 2005.
- 4) **PUBLIC HEARINGS:**
 - A. Increase appropriations, in the amount of \$140,000, for the County Property Management Fund. (See New Business Item 6A for correlating documentation.)
- 5) **OLD BUSINESS:**
 - A. County Change of Zone 04080, from AG Agricultural District to I Industrial District, requested by Capital Concrete Company, on property generally located at the northeast corner of Highway 2 and Highway 42 (South 162nd Street) in Lancaster County, Nebraska.
 - B. An agreement with Dr. Mathias I. Okoye for forensic pathology services as the coroner's physician. The services shall be provided for the County through the County Attorney's Office. The services shall include forensic autopsies, provision of a morgue facility and staff, coroner's call, testimony, additional tests and other services. The term of the agreement shall be from May 1, 2005 to April 30, 2006. The County shall pay \$270,000 per year for the services and an additional fee of \$1,700 per autopsy for any autopsy over 135 for the contract year.
(C-05-0203)

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6) **NEW BUSINESS:**

- A. A resolution in the matter of supplementing appropriations from the previously adopted budget for the County Property Management Fund. The budget needs to be increased \$140,000 because of higher costs for the remodel of the Old Attention Center Building and higher than anticipated costs for repairs to 2200 St. Mary's and the remodel to the Midtown Center. (R-05-0046)
- B. A resolution in the matter of transferring appropriations from the General Fund Miscellaneous Budget to various general fund agencies (General Assistance and Veterans Service Administration) in the amount of \$1,077,620. (R-05-0047)
- C. A resolution in the matter of adopting policies regarding the security of electronic protected health information and appointing a security officer pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). (R-05-0048)
- D. An application for a Special Designated License from Duggan's Pub, Inc. to provide liquor beverage service at a wedding reception on Saturday, May 7, 2005 from 2:00 p.m. to 12:00 a.m. at Country Pines located at 6305 West Adams Street in Lancaster County, Nebraska.
- E. An agreement with the State of Nebraska Probation Administration for the services of a drug technician to expedite juvenile drug testing results ordered by the Separate Juvenile Court of Lancaster County. Term of the agreement is May 1, 2005 through June 30, 2006. The County will pay \$7,300 for such services. (C-05-0204)
- F. Hardware maintenance agreement and Business Associate addendum with IBM for maintenance and support services on an AS/400 E-Server, three printers and related equipment utilized by Lancaster Manor. The term of the agreement is July 1, 2005 through June 30, 2010. The County shall pay \$4,778.68 per year for such services. (C-05-0205)
- G. A seasonal power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at the Lancaster County Youth Services Center during the summer months of June to September, 2005. Term of the agreement is June 1, 2005 to September 30, 2005. LES will pay the County at a rate of \$3.00 per kilowatt of curtailed demand per summer season month. (C-05-0206)
- H. Service Provider Agreement between the Nebraska Department of Health and Human Services and Lancaster County, on behalf of the Community Mental Health Midtown Center, for adult day care services. Term of the agreement is May 1, 2005 through April 30, 2006. (C-05-0207)

6) **NEW BUSINESS CONTINUED:**

- I. An agreement between the Folsom Children's Zoo & Botanical Gardens and Lancaster County, on behalf of Families, First and Foremost, to rent the zoo on May 20, 2005, from 6:00 p.m. until 8:00 p.m. as part of "May is Mental Health Month". The County will pay \$450 to rent the zoo. (C-05-0208)
- J. Renewal of employee life insurance policy with Mutual of Omaha, Policy Numbers: GLUG-78L3 and GVTL-78L3. The contract will extend coverage of the employee life insurance policy with Mutual of Omaha from June 1, 2005 to June 1, 2006 at no increase. (C-05-0209)
- K. Allowance Modification No. 1 with Midwest Roofing Inc. to install a vertical leg of flashing under existing metal cap in connection with the Lancaster County Extension Office Re-Roof. The Contingency/Discovery Allowance will be decreased by \$458. This will be the only allowance modification as the project is now complete. The remaining \$4,542 in the Contingency Allowance will be credited to the County. (C-05-0212)
- L. A release of liability and indemnity agreement to accept a Polaris Ranger 6 x 6 Utility Vehicle for the Sheriff's Office upon being selected to receive this vehicle from the U.S. Smokeless Tobacco Company. (C-05-0213)
- M. An interlocal agreement between the City of Lincoln and Lancaster County regarding the 2005 Byrne Justice Assistance Grant (JAG) Program Award, in the amount of \$173,782. Action was taken at the April 14, 2005 County Board of Commissioners Staff Meeting. (C-05-0219)
- N. Recommendation from the Purchasing Agent and the County Engineer to reject a bid received from Nebraska Machinery Co. for one used, Minimum 120 PTO H.P. 2WD Tractor for the County Engineer. (B-05-0015)
- O. An application for public transportation assistance for the Lancaster County Rural Transit.
- P. Election Form for the 457 Deferred Compensation Program with The Hartford, Group Number 621030, regarding whether to stay with the existing variable annuity contract or revert back to the old variable annuity contract.
- Q. Reappointment of Rodrigo Cantarero and Ken Svoboda to the Lincoln-Lancaster County Board of Health for a three-year term expiring April 15, 2008.
- R. A political subdivision tort claim filed against Lancaster County by the Nebraska Department of Health and Human Services, in the amount of \$215,850, for damage to the Department's property.

6) **NEW BUSINESS CONTINUED:**

- S. Executive Session - (Pending Litigation & Purchase of Real Estate) - Mike Thew, Chief Deputy County Attorney

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and place on file:

1. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for March, 2005.
2. Noxious Weed Control Authority's Monthly Report for March, 2005.
3. Clerk of the District Court's Monthly Report for March, 2005.
4. County Attorney's Quarterly Report for January 1, 2005 through March 31, 2005.

B. Requests from the following to voluntarily participate in the County's Retirement Plan having met the requirements:

- Tiffany Chamberlin, an employee with Lancaster Manor
- Regina O. Miallie, an employee with Lancaster Manor
- Galina A. Thomas, an employee with Lancaster Manor
- Byron Hurder, an employee with the Lancaster County Sheriff's Office
- Sharon C. Hillman, an employee with the Youth Services Center

C. Right-of-way contracts relating to road construction between the Lancaster County Engineering Department and the following individuals:

- Lucile Thompson, in the total amount of \$523, located on Northwest 27th Street between West Alvo Road and Waverly Road; Project No. C55-F-415(3). (2 contracts) (C-05-0210 and C-05-0211)
- Douglas Manton, in the total amount of \$1,468, located on Northwest 27th Street between West Alvo Road and Waverly Road; Project No. C55-F-415(3). (2 contracts) (C-05-0214 and C-05-0215)
- Boyd Clements, in the total amount of \$25,835.75, located between West Adams and Northwest 70th Streets; Project No. C55-M-407(1). (3 contracts) (C-05-0216 through C-05-0218)

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

9) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, April 21, 2005, beginning at 8:30 a.m., in Room 113 on the first floor of the County-City Building.
- B. A public hearing will be held on Tuesday, April 26, 2005 at 1:30 p.m. in the County Commissioners Room, Room 112, on the first floor of the County-City Building regarding Comprehensive Plan Amendment 05002, by the Director of Planning, at the request of the Lincoln-Lancaster County Metropolitan Planning Organization (MPO), to amend the Mobility and Transportation element of the 2025 Lincoln-Lancaster County Comprehensive Plan, by upgrading existing U.S. Highway 77 to freeway standards from Interstate 80 to the planned South Beltway interchange south of Saltillo Road.
- C. A public hearing will be held on Tuesday, May 3, 2005 at 1:30 p.m. in the County Commissioners Room, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager from Kim McKay and a Class I (Bottle Club) liquor license for SKM Enterprises, Inc. d/b/a Castaways Bar & Grill on Branched Oak, located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska.

10) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.

10) **PENDING CONTINUED:**

- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.

11) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 19, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 12, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 30 additions and deductions to the tax assessment rolls per Exhibit A.

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Calvary United Methodist Church
Lincoln Lancaster County Child Guidance Center
Villa Marie School

- 5) **ADJOURNMENT:**

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